

MEETINGS TO DATE 14
NO. OF REGULARS 14
NO. OF SPECIALS 0

Page 383

LANCASTER, NEW YORK
JULY 17, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 17th day of July, 1978 at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed amendment to the 1978 Federal Community Development Funds for the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk reported that copies of a Notice of this Public Hearing were mailed to nine (9) homes in the Harris Hill and Transit Blvd. area, informing the homeowners of this Public Hearing on the proposed expenditure of Community Development Funds in their area.

The Supervisor at this time explained the purpose of this hearing and reviewed for those present the general scope and intent of the Housing and Community Development Act, what has been done with prior funds received, and the proposed use of 1978 amended funds for funding water lines on Transit Boulevard, Wendell Avenue, and Storer Avenue, and also to contract and improve drainage work in the area along Harris Hill Road between Pleasant View Drive and Ellicott Creek.

The Supervisor then asked for input and comments from those present:

Mrs. Mary MacAlester, 212 S. Penora Street, urged the Town Board to proceed with the Community Development application amendment as it applies to water lines on Transit Boulevard, Wendell Avenue, and Storer Avenue.

Mrs. MacAlester told the Town Board how her well has gone dry time after time and of the difficulties she is experiencing with the lack of city water.

The following persons spoke in favor of the amended application as it applies to Harris Hill Road drainage between Genesee Street and Ellicott Creek:

Mrs. Edna Groth, 620 Harris Hill Road, told of constant recurring flooding on her property each and every time of a heavy rain and during the spring thaws.

Mr. John Jenkins, 628 Harris Hill Road, supported Mrs. Groth in her comments and statements and also indicated constant flooding of his property.

Mrs. Elizabeth Herbold, 481 Harris Hill Road, the mother of Edna Groth, related to the Board the extent of the flooding in the area of her daughter's home.

Mrs. Shirley Martin, 625 Harris Hill Road, said that there is nothing more that she would like than to see the property owners on the east side of Harris Hill Road "high and dry". Mrs. Martin said she would cooperate with the Town of Lancaster in the area of easements in order to

accomplish any solution to the flooding problem that exists.

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:30 P.M.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their monthly reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	June, 1978
Dog Warden	June, 1978

COMMITTEE REPORTS:

Councilman Barnhardt, for the Street Lighting Committee, presented a proposal for improvement of street lighting on Deerpath Drive, Farmingdale Court, Fox Hunt Road, and Robinwood Court within Consolidated Lighting District No. 1 of the Town of Lancaster, and on behalf of the Committee recommended that the Town Board authorize the improvements as contained in said proposal.

Councilman Berent, for the Police Committee, requested the Chief of Police to prepare a recommendation to the Town Board on the installation of stop signs and other traffic and parking controls within Pleasant Meadow Subdivision, Phase II.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held
July 3, 1978, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN BERENT , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 BARNHARDT , TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated July 8, 1978, has requested confirmation of two (2) new members duly elected to the Membership of the Town Line Volunteer Fire Department, Inc. and the deletion of three (3) members from the active roster of the Town Line Volunteer Fire Department, Inc.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board of the Town of Lancaster hereby confirms and deletes the following individuals in the Town Line Volunteer Fire Department, Inc.:

CONFIRMATION

Robert Warren, Jr.
 246 Westwood Road
 Lancaster, NY 14086

Clyde Marshall
 6298 Broadway
 Lancaster, NY 14086

DELETIONS

Raymond J. Gwarek
 11136 Broadway
 Alden, New York 14004

Dennis Pew
 656 Schwartz Road
 Lancaster, NY 14086

Raymond Weil
 6451 Broadway
 Lancaster, NY 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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 The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, it has been requested that the following individuals be
authorized to attend meetings which would be beneficial to the administration
of their respective duties, and

WHEREAS, it is deemed in the public interest that such authorization
be granted,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are
authorized to attend the following meetings:

Victor H. Ott, Police Chief - Annual New York State
Association of Chiefs of Police, Syracuse, New York,
July 30 - August 3, 1978, with reimbursement for actual
and necessary expenses not to exceed \$300.00, including
mileage.

Robert W. Urban, Highway Superintendent - Annual
Conference of the New York State Association of Town
Superintendents of Highways, Kiamesha Lake, New York,
September 26-29, 1978, with reimbursement for actual
and necessary expenses not to exceed \$243.70, including
mileage.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric & Gas Corporation has submitted, a proposal for improvement of street lighting along Deerpath Drive, Farmingdale Court, Fox Hunt Road and Robinwood Court, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the Lighting Committee of the Town Board, after investigation review and consideration, has recommended the said installation as contained in said proposal,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to make the following installations within Consolidated Lighting District No. 1 of the Town of Lancaster:

Deerpath Drive	(4)	-	Standards 5, 6, 7 & 8
Farmingdale Court	(1)	"	1
Fox Hunt Road	(2)	"	5 & 6
Robinwood Court	(3)	"	1, 2 & 3

Install 10 - 3350 Lumen Post Top Mercury
Luminaires @ \$39.25 ea. - \$392.25

Annual Increase \$392.25

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~clerk~~

The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, Marrano Enterprises Inc., 4040 Clinton Street, West Seneca, has requested the Town Board of the Town of Lancaster to accept work completed under Public Improvement Permit No. 43 (Paving and Curbs), Permit No. 44 (Water Line), and Permit No. 45 (Storm Sewer), for the installation of improvements within the Pleasant Meadow Subdivision, Phase II, within the Town of Lancaster, and

WHEREAS, the Town Engineers have inspected the improvements under the aforesaid Public Improvement Permits and by letter dated June 28, 1978, has recommended approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Pleasant Meadow Subdivision, Phase II, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 43 - Paving and Curbs
P.I.P. No. 44 - Water Line
P.I.P. No. 45 - Storm Sewer

conditioned, however, upon receipt by the Town of Lancaster of the following maintenance security in proper form, with date of acceptance of improvements being July 17, 1978:

P.I.P. No. 43 - Paving and Curbs - Maintenance Bond
Term 2 years - Principal Sum -
25% of estimated cost of improvement

P.I.P. No. 44 - Water Line - Irrevocable Letter of Credit
Term 2 years - Principal Sum -
25% of estimated cost of improvement

P.I.P. No. 45 - Storm Sewer - Irrevocable Letter of Credit
Term 2 years - Principal Sum -
25% of estimated cost of improvement

and,

BE IT FURTHER

RESOLVED, that upon transfer of ownership of the sanitary sewers within Pleasant Meadow Subdivision, Phase II, to the Erie County Sewer District No. 4., the Town Clerk of the Town of Lancaster be provided with a copy of the maintenance security required by Erie County Sewer District No. 4., and,

BE IT FURTHER,

RESOLVED, upon receipt by the Town Clerk, of the maintenance security for Public Improvement Permit Nos. 43, 44, and 45 as set forth herein, the Town Clerk of the Town of Lancaster be and is hereby authorized to release and return to Marrano Enterprises, M & T Trust Company Irrevocable Letter of Credit No. 2254, which letter of credit was previously deposited with the Town Clerk as performance security for Public Improvement Permit Nos. 43, 44, and 45.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

July 17, 1978

Page 392

Councilman Berent, at this time, requested that the following resolution be WITHDRAWN -

REQUEST GRANTED. (SEE NOTE BELOW)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SEDONDED BY COUNCILMAN
, TO WIT:

WITHDRAWN

WHEREAS, J. NICHOLAS MUELLER, 9 Kaufman Road, Cheektowaga, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate on the south side of Genesee Street, at 5645 Genesee Street, from an RC Residence-Restricted Business District to a C2 General Commercial District, which property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lots Number Seven (7) and Nine (9), Section Nine (9), Township Eleven (11), and Range Six (6), of the Holland Land Company's Survey, and according to a Subdivision Map known as Genesee Villa filed in Erie County Clerk's Office under Cover No. 1123, are known as Subdivision Lots numbered Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Block "B".

BEGINNING, at a point thirty-three (33) feet south of the center of Genesee Street and six thousand one hundred eighty-seven and five tenths (6187.5) feet easterly of Harris Hill Road; thence south on a line at Right angles with Genesee Street two hundred (200.0) feet; thence easterly on a line parallel with First Street one hundred eleven and five tenths (111.5) feet; thence northerly on a line parallel with the east line of lands known as the Benjamin F. Smiley Subdivision, two hundred (200.0) feet northerly to a point thirty-three (33) feet south of the center line of Genesee Street; thence westerly parallel with Genesee Street one hundred six and five tenths (106.5) feet to the point of beginning,

and

WHEREAS, said petition has been referred to the Planning Board and Planning Consultant of the Town of Lancaster, and the Erie County Department of Planning, and

WHEREAS, a public hearing on the petition for proposed rezone was held by the Town Board of the Town of Lancaster on the 19th day of June, 1978, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

NOTE:

The Town Attorney was directed to write to the Planning Board and request the Board to review and re-evaluate the current C2 zoning that exists along the south side of Genesee Street from Harris Hill east and to file a report of their review and re-evaluation with the Town Board.

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and Erie County Department of Planning and the evidence adduced at said public hearing and the Master Plan and Zoning Map of the Town of Lancaster reveals the following facts:

1. That the proposed rezone of subject premises to a C2 Use would open premises to less desirable uses found in permitted uses for C2 Zone and could tend to de-value present property values in the area and is not in keeping with the purpose and intent of the Town Board of the Town of Lancaster as expressed in the Master Plan and Zoning Map of the Town of Lancaster, nor will it achieve an orderly and balanced development of the Township.
2. The premises sought to be rezoned is situated within a flood zone as defined by HUD Flood Insurance Maps and proposed rezone and building plan would affect surface water drainage.

and,

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of the real property to the owner thereof, and

WHEREAS, a study of the area involved reveals that the property in question, if rezoned to a C2 use, would be spot zoning for the limited benefit of the petitioner rather than the community at large,

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of J. J. NICHOLAS MUELLER, be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED
COUNCILMAN BERENT	VOTED
COUNCILMAN BOLENDER	VOTED
SUPERVISOR KEYSA	VOTED
COUNCILMAN METZ	VOTED

WITHDRAWN

duly
The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

WHEREAS, the lease between the Town of Lancaster and Edward J. Caradori and Stanley Oleksy, Jr., for premises situate at 5478 Broadway, in the Village of Lancaster, which premises are used by the Town of Lancaster Youth Bureau, expires on July 31, 1978, and

WHEREAS, it is deemed in the public interest that this lease be renewed for an additional year,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a lease for said premises, at a monthly rental of \$175.00, plus utilities, and the same terms and conditions as lease previously entered into on behalf of the Town of Lancaster Youth Bureau, be and hereby is confirmed, for the period of August 1, 1978 through July 31, 1979.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6746 to 6800 Incl.	\$105,105.19
Special District Funds	No. 316 to 318 Incl.	\$ 10,030.41
Part Town Funds	No. 573 to 579 Incl.	\$ 1,267.21
Highway Funds	No. 1978 to 1999 Incl.	\$ 35,991.60
Trust & Agency Funds	No. 261 to 265 Incl.	\$ 42,485.96
Federal Revenue Sharing	No. 1138 to 1164 Incl.	\$ 17,354.94
Capital Fund	No. 338 to 342 Incl.	\$ 30,383.68
Debt Service Fund	No. 6 to 6 Incl.	\$ 787.50
CETA Project No. 641	No. 20 to 22 Incl.	\$ 344.44
CETA Project No. 645	No. 24 to 26 Incl.	\$ 741.44

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 17, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
102	Zabel Const. Corp.	117 Brunck Rd.	ER. FR. SIN. DWLG
103	Wm. Raichel	532 Lake Ave.	ER. FR. PVT. GARAGE
104	Josela Enter.	9 Old Schoolhouse Rd.	ER. FR. BRK. FRONT SIN. DWLG, PVT. GARAGE
105	Dennis Richards	3736 Walden Ave.	EXT. CONCRETE BLK STORAGE BLDG.
106	David Lechner	3893 Walden Ave.	ER. CONCRETE BLK PVT. GARAGE
107	Marrano Enter.	12 Ravenwood Dr.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
108	Triple Lake Ind.	4972 William	ER. FR. PVT. GARAGE
109	Wm. Henke	240 Schwartz	ER. FR. SIN. DWLG
110	Gilbert Baker	57 Markey Ave.	ER. FR. PVT. GARAGE
111	Greg Kirsch	172 Peppermint Rd.	ER. FR. BRK. SIN. DWLG, PVT. GARAGE
112	Michael Zika	168 Peppermint Rd.	ER. FR. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 17, 1978

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution:-

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has held a public hearing after proper legal notice according to law, regarding the amendment of the Town of Lancaster's 1978 Community Development Application for the use of Federal Community Development Funds in the Town of Lancaster for its 1978 Fourth-Year Grant, and

WHEREAS, the public hearing provided an opportunity for citizens to express community development and housing needs and discuss the amendment of the 1978 Community Development Application for funding of water lines on Transit Boulevard, Wendell Avenue and Storer Avenue, and also to construct and improve drainage works in the area along Harris Hill Road between Pleasant View Drive and Ellicott Creek, and to determine whether such projects would benefit low and moderate income persons in the Town of Lancaster, and

WHEREAS, the Town of Lancaster citizens appeared and were heard concerning said needs, after a detailed explanation of said projects by the Supervisor and the Town Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby determines that funding of the water lines in Transit Boulevard, Wendell Avenue and Storer Avenue in the Town of Lancaster and construction and improvement of drainage works in the area along Harris Hill Road between Pleasant View Drive and Ellicott Creek, will benefit low and moderate income persons in the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes and directs the Supervisor of the Town of Lancaster to prepare the application and any supporting documentation necessary, and the Town Board hereby authorizes the amendment of the 1978 Community Development Application to provide for:

1. Funding of water lines on Transit Boulevard, Wendell Avenue and Storer Avenue, as proposed by Krehbiel Associates, Inc., in a report rendered by said engineers in September, 1977, at a total revised estimated cost for Storer Avenue in the amount of \$14,500.00, and Transit Boulevard, west side of Wendell Street and east of Penora, in the amount of \$16,450.00, and

2. Construction and improvement of drainage works in the area along Harris Hill Road, between Pleasant View Drive and Ellicott Creek in accordance with the Engineer's Report of June 28, 1978, at total cost of \$15,684.12.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

July 17, 1978

Councilman Metz requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, it has been requested that the following individuals be authorized to attend a meeting which would be beneficial to the administration of their respective duties,

WHEREAS, it is deemed in the public interest that such authorization be granted,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT W. URBAN, Highway Superintendent of the Town of Lancaster, and LOUIS CACCIOTTI, Foreman of the Highway Department of the Town of Lancaster, be authorized to attend "Blizzard '79!!" in Cheektowaga, New York on July 20, 1978 at a cost not to exceed \$16.00 plus mileage.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

July 17, 1978

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

WHEREAS, the Regional Director of the New York State Department of Transportation, by letter dated June 27, 1978, to the Town Line Fire Department, has indicated their intention to remove the traffic control device on Broadway, Route U.S. 20, at the Town Line Volunteer Fire Department Fire House, and

WHEREAS, the officers and men of the Town Line Volunteer Fire Department, and the Chief of Police of the Town of Lancaster, have expressed to the Town Board their opposition to the removal of this traffic control device in front of the Town Line Volunteer Fire Department Fire House,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby requests the Regional Traffic Director and the State Department of Transportation to rescind their recent order and determination relative to removal of the traffic control device in front of the Town Line Volunteer Fire Department Fire House, Route U.S. 20, Broadway, Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Senator Volker, Assemblyman Graber, the Lancaster Fire Council, and the Chief of the Town Line Volunteer Fire Department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

July 17, 1978

1. Preferential Rights, Erie Lackawanna R.R.
By letter dated April 13, 1978, the Supervisor provided the Town Board with a summary of concerns regarding the D.L. & W. right-of-way with a copy of the letter directed to Mayor Lyon, Supervisor Donnelly, Mr. Evans, Sales Manager for D.L. & W., the N.Y.S. Dept. of Transportation, and the Erie County Planning Dept.
2. Public Dedication of Townedge Water Lines
On March 13, 1978, the Erie County Water Authority gave approval for a meter pit for the interconnection between Countryside and Townedge.
3. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 41 and 42 for stormsewer, pavement and curbs. On June 5, 1978, the Town Board approved Public Improvement Permit No. 53 for water line.
4. Phase II, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 43 and 44 for Phase II; water, storm drain, pavement and curbing. On February 28, 1978, the Town Board approved a letter of credit as security for the installation of these improvements. On July 17, 1978, the Town Board accepted these improvements. The Town Clerk was directed to remove this item from future Town Board agendas.
5. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On March 20, 1978, the Town Board approved Public Improvement Permit No. 50 for Phase II water lines. On May 1, 1978, the Town Board approved Public Improvement Permit No. 51 for Phase III storm drain and Public Improvement Permit No. 52 for Phase III pavement and curbs.
6. Rezone Petition, Guenter H. and Eva G. Burkhardt
On April 3, 1978, the Town Board held an adjourned public hearing on this proposed rezone and again, at the request of the attorney for the petitioners, adjourned this hearing to August 7, 1978 at 8:00 P.M.
7. Subdivision Filing, Josela Enterprises, Countryside Subdivision
On March 20, 1978, the Town Board approved this subdivision and authorized the Town Attorney, with a representative of the developer, to file this subdivision map.
8. Subdivision Filing, Woodview Estates Subdivision
On February 27, 1978, the Town Board approved this subdivision and authorized filing of the subdivision map under conditions by the Town Attorney.
9. Alarm Security, Town Buildings
At the Town Board meeting of May 1, 1978, the Town Board accepted the revised proposals of American Alarm Services which were contained in their letter to the Town Board dated March 15, 1978.
10. Extension, Walden Avenue Sewer Facilities, East of Terminus of Sewer District No. 4 Line
At the Town Board meeting of April 3, 1978, Councilman Barnhardt presented to the Town Board a preliminary cost projection for this project. On July 7, 1978, a letter was mailed to all property owners involved inviting them to a general discussion meeting on July 20, 1978 to review the proposed cost data on this project.

11. Rezone Petition, J. Nicholas Mueller
On June 19, 1978, the Town Board held a Public Hearing on this matter and reserved decision.
12. Subdivision Approval, Country View East
On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
13. Speed Evaluation Survey, Simme Road
On May 1, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.
14. Rezone Petition, Dennis Casillo
On June 5, 1978, this petition was presented to the Town Board and referred to the Planning Board for review and comment.
15. Rezone Petition, Norman H. and Maryann Bastian
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
16. Subdivision Approval, Heritage Hills
On July 3, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mr. Harold Dunke, 17 Stutzman Road, complained about surface and septic drainage seeping into his new basement.

Councilman Metz, Chairman of the Investigating Committee, told Mr. Dunke that he would stop and see them, make an inspection, and see if some solution could be arrived at to alleviate this problem.

Mr. William Martino, 5873 Genesee Street, complained to the Town Board of the increase in noise at the Lancaster Speedway, especially the drag races.

The Town Attorney was directed to write to the owners of the speedway and inform them of the 11:00 P.M. curfew and request their voluntary cooperation in reducing the level of noise pollution.

COMMUNICATIONS:DISPOSITION

512. Highway Supt. to Town Board - Request purchase of new Huber Roller.	Highway Comm.
513. Highway Supt. to Town Board - Request purchase of new sander at an approximate cost of \$27,000.00.	Highway Comm.
514. Supervisor and County Leg. Assoc. to Town Board - Transmittal of various adopted resolutions with request for support.	Town Clerk
515. Town Engineers to Town Board - Recommendation of storm sewer as solution to drainage ditch problem on Warner Rd. in the Pleasant Meadow Subdivision.	Engineer
516. Town Engineers to Town Board - Recommendation of detention pond at Central Ave. and Harris Hill Rd. with transmittal of sketch.	Supervisor Engineer
517. Chief of Police to Town Board - Transmittal of accident report involving Town police vehicle.	R & F
518. Lehigh Valley Railroad to Town Clerk - Notice of Abandonment of rail line between BATavia and Depew.	Supervisor
519. Town Clerk to Supervisor - Monthly report for June, 1978.	R & F
520. Town Clerk to Town Board - Resume of actions taken in response to directions and resolutions of the Town Board meeting of 7/3/78.	R & F
521. Dog Warden to Town Board - Monthly report for June, 1978.	R & F
522. Deputy Comm., County Highways to Supervisor - Notification of coordination of drainage work on Harris Hill Rd. when Town rehabilitates the area.	R & F
523. Highway Supt. to Supervisor - Transmittal of notice sent to Stony Rd. residents requiring relocation of mailboxes on west side of road in regards to snow removal.	Supervisor
524. Town Engineers to Three Contractors - Authorization to proceed on work involving addition to Town Hall.	R & F
525. Supervisor to Walden Avenue Property Owners - Notification of meeting to be held 7/20/78 to discuss present billing system and estimates regarding Walden Avenue Sewer Extension.	R & F
526. Comm., County Dept. of Environ. and Planning to Supervisor - Request adoption of resolution regarding administration of State Solid Waste Plan.	Planning Comm.

COMMUNICATIONS CONT'D.:

Page 404
DISPOSITION

- | | |
|---|---------------------------------|
| 527. Deputy Comm., County Highways to Supervisor -
Notification of coordination of drainage
work on Harris Hill Rd. when Town rehabilitates
the area. | R & F |
| 528. County Dept. of Health to Supervisor -
Transmittal of approval permit for waterline
extension in Woodview Subdivision with
notification that certificate must be filed
within 30 days. | R & F
Supervisor
Engineer |
| 529. University of Buffalo to Supervisor -
Notice of meeting to be held 7/20/78 in
Cheektowaga regarding effective measures
for control of drifts under blizzard
conditions. | Highway Supt. |
| 530. Chief of Police to Town Board -
Explanation of opposition to removal of fire
signal at Town Line Fire Hall. | Town Clerk |
| 531. Mrs. Gertrude H. Regula and Mrs. Florence
Dunke to Town Board -
Request to be heard regarding water
accumulation in back of 17 and 21 Stutzman Rd. | Investigating Comm. |
| 532. N.Y.S. Dept. of Transportation to Supervisor -
Notification of shared costs for projects
under the Town Highway Improvement Program
for 1978. | Highway Supt.
Supervisor |
| 533. Pres., LVAC to Town Clerk -
Confirmation of meeting between Police &
Safety Committee and Ambulance Corps with list
of Corps members attending. | R & F |
| 534. Record. Sec'y, Town Line Vol. Fire Dept., Inc.
to Town Clerk -
Request additions and deletions to active
roster. | R & F |
| 535. Ransom Road Residents to Supervisor -
Notification of discontentment with new
recreation field with several requests for
improvement. | Rec. Commission |
| 536. Marrano Enter. to Town Board -
Request for waiver of security for sanitary
sewers and request for acceptance of
Irrevocable Documentary Letter of Credit for
P.I.P. Nos. 44 and 45 regarding Pleasant
Meadow Subdivision, Phase II. | R & F |

Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communications -
SUSPENSION GRANTED.

- | | |
|--|------------------------------|
| 537. Sec'y, Planning Board to Town Board -
Recommendation of denial of Burkhardt rezone. | R & F |
| 538. Robert E. Young, Field Rep., CSEA to Supervisor -
Notification of being Chief Negotiator
for the negotiations regarding Highway Contract. | Wm. Holcomb
Highway Supt. |

ADJOURNMENT:

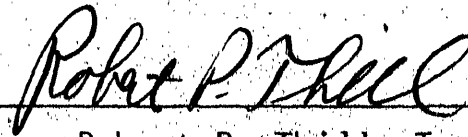
ON MOTION OF COUNCILMAN METZ, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 9:50 P.M. out of respect to:

Joseph Schnitzler

Arthur Siebert

Leon Kalczynski

Signed



Robert P. Thill, Town Clerk